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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/145,680	09/02/1998	THIRU SRINIVASAN	1480(42059-0	6253
25231	7590	12/12/2003	EXAMINER	
MARSH, FISCHMANN & BREYFOGLE LLP 3151 SOUTH VAUGHN WAY SUITE 411 AURORA, CO 80014			DUONG, DUC T	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 12/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/145,680

Applicant(s)

SRINIVASAN, THIRU

Examiner

Duc T. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-29 is/are rejected.
- 7) ☒ Claim(s) 12 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: The letter "a" in front of "at least" on line 9 should be deleted. Appropriate correction is required.
2. Claims 11 and 29 are objected to because of the following informalities: The letter period before "Along" on line 4 of both claims should be deleted and replaced with a comma. Appropriate correction is required.
3. Applicant is advised that should claim 12 be found allowable, claim 30 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding to claim 11, it is unclear as to what is meant by "information for cash of the web pages" on line 5.

Claim Rejections - 35 USC § 103

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goss et al (U.S. Patent 6,493,447 B1) in view of Brown et al (U.S. Patent 6,385,646 B1).

Regarding to claim 1, Goss discloses a communication system (Fig. 1) comprising data network 32 containing information which is accessible by system users in connection with the data network (col. 4 lines 23-27); a server (call center) in connection with the data network comprising a website accessible by the system users over the data network (col. 4 lines 49-51), where the web page includes an audio communications interface for establishing an audio connection between the system user and an available service agent (col. 6 lines 12-26); and a processor 28 which processes the audio communication between the system user and the service agent (col. 4 lines 13-33), and receives and stores in memory 30 a version of at least one web page from the website which the system user has viewed (col. 5 lines 4-9), wherein the at least one web page includes a web page which the system user is currently viewing (col. 5 lines 5-11); a telephone system 18 which receives the audio communication from the processor and assigns it to the service agent (col. 4 lines 10-12); and a service agent interface 14, which upon assignment of the audio communications to the service agent,

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receives a broadcasted, interactive version of the at least one web page from the processor (col. 7 lines 26-40).

Goss fails to teach the web pages, which the system user has viewed includes previously web page viewed in a particular domain.

However, Brown discloses a system for establishing voice communications in an internet environment, wherein a call center agent can track what web pages a customer has selected (col. 4 lines 1-5).

Thus, it would have been obvious to one of ordinary skilled in the art to include for previously viewed web page as taught by Brown in Goss's system to provided desired marketing, sales, and customer handling services.

Regarding to claim 2, Goss discloses the data network is the worldwide web (col. 4 lines 23-27).

Regarding to claim 3, Goss discloses links included in the version of the web pages, which the system user is viewing and has viewed are active and provide access to the data network (Fig. 6 col. 10 lines 52-67 and col. 11 lines 1-10).

Regarding to claim 4, Goss discloses the reconstructed web pages include all hypertext links and includes at least one of IP address, cookies, logic ID, password, any hidden HTML tags, and Java applets (col. 7 lines 39-50).

Regarding to claim 5, Goss discloses the telephone system is a PBX system, which assigns telephone connections based on the service agent availability (col. 13 lines 2-6).

Regarding to claim 6, Goss discloses the telephone connection is established through Surf&Call technology (col. 6 lines 16-26).

Regarding to claim 7, Goss discloses the interactive version of the at least one web page is delivered to the service agent using PUSH technology (col. 8 lines 56-63).

Regarding to claim 8, Goss discloses the service agent user interfaces and the automated telephone system are incorporated into a local area network LAN (Fig. 1 col. 5 lines 14-30).

Regarding to claim 9, Goss discloses user interfaces which the system users employ to connect with the data network include a system user web browser plug-in which converts the at least one web page to HTML language (col. 6 lines 5-7).

Regarding to claim 10, Goss discloses the service agent interfaces include a service agent web browser plug-in for receiving the broadcasted, interactive version of the at least one web page (col. 7 lines 36-40).

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goss and Brown, further in view of Sassin et al (U.S. Patent 6,449,260 B1).

Regarding to claim 11, Goss and Brown discloses all the limitation with respect to claim 1 includes converting a web page into at least one of hypertext links, IP address, cookies, logic ID, password, any hidden HTML tags, and Java applets (col. 7 lines 39-50). But Goss and Brown fail to teach for the system user web browser includes the converted at least one web page in an E-mail message to the processor, which includes a Caller ID for the system user along with the text and information for cash of the web pages visited by the system user under the domain. However, Sassin discloses an

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automatic call distribution system includes the converting of web page in an e-mail message to the e-mail server 68 (processor), which includes an identification number (caller ID) along with other information required for accessing the message (col. 8 lines 31-49). Thus, it would have been obvious to one of skilled in the art to include the converting of web page in an e-mail as taught by Sassin in Goss and Brown's system to provided a caller via a number of different media that can facilitate communication with agents working from various locations.

9. Claims 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sassin in view of Brown.

Regarding to claims 13, 15, and 18, Sassin discloses a method of establishing communication between a system user and an available service agent over a data network (Fig. 1) comprising the steps of providing a website on the data network which includes the functionality to establish a telephonic connection (col. 3 lines 33-38); accessing web page on the website and choosing to establish the telephonic connection (col. 3 lines 44-50); converting the web page being viewed by the system user to HTML language (col. 10 lines 28-32); creating an E-mail message which includes the converted web pages and an ID for the telephonic connection (col. 8 lines 31-41); placing the telephonic connection in a queue for delivery to the available service agent (col. 5 lines 3-6); upon transmission of the telephonic connection to the service agent (transmitting customer's telephone number), identifying the E-mail message according to the ID and reconstructing the web pages (col. 8 lines 41-61); broadcasting the web

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pages to a user interface for the service agent substantially simultaneously with receipt of the telephonic connection (col. 8 lines 62-67).

Sassin fails to teach for previously viewed web pages in a particular domain; the reconstructing of the converted web page includes all active links for moving through the data network (claim 15); and the interactive version of the at least one web page is delivered to the service agent using PUSH technology (claim 18).

However, Brown discloses a system for establishing voice communications in an internet environment, wherein a call center agent can track what web pages a customer has selected (col. 4 lines 1-5); the web page includes all active links for moving through the data network (col. 1 lines 54-67 and col. 2 lines 1-3); included a platform enable the use of "page push" (col. 7 lines 40-46).

Thus, it would have been obvious to one of ordinary skilled in the art to include for previously viewed web page as taught by Brown in Sassin's system to provided desired marketing, sales, and customer handling services.

Regarding to claim 14, Sassin discloses the data network is the worldwide web (col. 3 lines 44-50).

Regarding to claim 16, Sassin discloses the telephonic connection is established through IP telephony (col. 3 lines 51-67).

Regarding to claim 17, Goss discloses the telephone connection is established through Surf&Call technology (col. 9 lines 23-30).

Regarding to claim 19, Sassin discloses the E-mail message includes the ID (identification number) and at least one of hypertext links, IP address, cookies, log-in

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I.D., password, Java applets, and any hidden HTML tags from the converted web page.

(col. 8 lines 31-49)

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

11. Claims 20-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Goss.

Regarding to claim 20, Goss discloses an apparatus (Fig. 1) for providing communication between a system user with access to a data network and an available service agent, comprising a server (call center) connected to the data network 32, wherein the server comprises a website which is accessible by the system user (col. 4 lines 49-51) and includes icons which when selected by the system user initiate a process for establishing audio communications with the available service agent (col. 6 lines 12-26); and a processor 28 that provides a connection for the audio

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communication to a remotely located telephone system (col. 4 lines 13-33) and stores a converted version of a web page currently being viewed (col. 5 lines 4-9); and upon establishment of the audio communication to the available service agent, reconstructs and broadcasts the web pages in the memory to a service agent interface associated with the available service agent (col. 7 lines 26-40).

Goss fails to teach the web pages, which the system user has viewed includes previously web page viewed in a particular domain.

However, Brown discloses a system for establishing voice communications in an internet environment, wherein a call center agent can track what web pages a customer has selected.

Thus, it would have been obvious to one of ordinary skilled in the art to include for previously viewed web page as taught by Brown to provided desired marketing, sales, and customer handling services.

Regarding to claim 21, Goss discloses the data network is the worldwide web (col. 4 lines 23-27).

Regarding to claim 22, Goss discloses links included in the reconstructed web pages are active and provide access to the data network (Fig. 6 col. 10 lines 52-67 and col. 11 lines 1-10).

Regarding to claim 23, Goss discloses the reconstructed web pages include all hypertext links and includes at least one of IP address, cookies, logic ID, password, any hidden HTML tags, and Java applets (col. 7 lines 39-50).

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Regarding to claim 24, Goss discloses the telephone system is a PBX system, which assigns telephone connections based on the service agent availability (col. 13 lines 2-6).

Regarding to claim 25, Goss discloses the telephone connection is established through Surf&Call technology (col. 6 lines 16-26).

Regarding to claim 26, Goss discloses the interactive version of the at least one web page is delivered to the service agent using PUSH technology (col. 8 lines 56-63).

Regarding to claim 27, Goss discloses user interfaces which the system users employ to connect with the data network include a system user web browser plug-in which converts the at least one web page to HTML language (col. 6 lines 5-7).

Regarding to claim 28, Goss discloses the service agent interfaces include a service agent web browser plug-in for receiving the broadcasted, interactive version of the at least one web page (col. 7 lines 36-40).

Regarding to claim 29, Goss discloses the system user web browser includes an ID for the system users in the converted web pages in a message to the processor (col. 6 lines 1-5) and at least one of hypertext links, I.P. address, cookies, log-in I.D., password, Java applets, and any hidden HTML tags along with the listed information for each of the web pages visited by the system user under the domain (col. 7 lines 32-47).

Allowable Subject Matter

12. Claims 12 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 703-605-5146. The examiner can normally be reached on M-Th (8:30 AM-5:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

DD



STEVEN H.D NGUYEN
PRIMARY EXAMINER